

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

BRIAN A. MCVEIGH,

Plaintiff,

v.

**CALLAN ASSOCIATES
INCORPORATED, et al.,**

Defendants.

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Case No.: 2:09-CV-0685-RDP

ORDER

This case is before the court on Defendants' Motions to Dismiss (Docs. #16, 23, 26, and 31).

In accordance with the teleconference held on July 27, 2009, the court **ORDERS** as follows:

The initial round of briefing will be limited to the issue of whether the named Plaintiffs have the right to assert the claims contained in their complaint (or any claims that could reasonably be added by amendment to the complaint) against the Defendants under Alabama trust law, the Alabama law governing PACT, and the PACT contracts (to which the named Plaintiffs are parties). This issue is limited to Alabama trust law, the statutes related to PACT, and the contracts between the named Plaintiffs and the PACT Board. The issues of injury in fact and ripeness will be addressed, if necessary, in a later round of briefing.

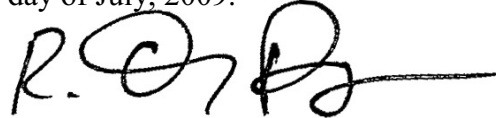
Defendants **SHALL** file their initial brief(s)¹ no later than **4:30 p.m. on Monday, August 3, 2009**. Plaintiffs **SHALL** file their Response no later than **4:30 p.m. on Monday, August 10,**

¹ Defendants are encouraged to file a consolidated brief if possible.

2009. Defendants **SHALL** file their reply brief(s) no later than **4:30 p.m.** on **Monday, August 17,**

2009. All briefs **SHALL** be limited to twenty-five (25) pages in length.

DONE and **ORDERED** this 27th day of July, 2009.

A handwritten signature in black ink, appearing to read 'R. David Proctor', written over a horizontal line.

R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE